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10/790,998	03/02/2004	Kevin John Brinker	46837-00101	1295	
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DICKINSON WRIGHT PLLC 1901 L. STREET NW			LOFDAHL, JORDAN M		
SUITE 800			ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20036			3644		
			DATE MAIL ED: 02/23/2004	DATE MAILED: 02/23/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. 1. Extensions of into many be arrelated under the proteined of 3 CPR 1.13(d), in no event, however, may a reply be timely filled 1. If the period for reply specified above is less than thirty (30) days, a reply within the statisticy minimum of thirty (30) days, a reply within the statisticy minimum of thirty (30) days, a reply within the statisticy minimum of thirty (30) days, a reply within the statisticy minimum of thirty (30) days, a reply within the statisticy minimum of thirty (30) days, a reply within the statisticy minimum of thirty (30) days, a reply within the statisticy minimum of thirty (30) days, a reply within the statisticy minimum of thirty (30) days, and the special of the statistic many of the st	,	Application No.	Applicant(s)					
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extending of time may be available under the provisions of 3 CFR 1.13(d), in no event, however, may a reply be timely filled. Extending of time may be available under the provisions of 3 CFR 1.13(d), in no event, however, may a reply be timely filled. Extending of time may be available under the provision of 3 CFR 1.13(d), in no event, however, may a reply be timely filled. If the period for reply specified above, the maximum control of 3 CFR 1.13(d), in no event, however, may a reply be timely filled. If the period for reply specified above, the maximum control of 3 CFR 1.13(d), in no event, however, may a reply be timely filled. If the period for reply specified above, the maximum control of the period of the communication, and the period of the communication of the communication, and the period of the communication of the commun	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	Examiner	Art Unit					
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DETAILED ACTION

Claim Objections

Claim 20 is objected to because of the following informalities:

As to claim 20, the "the diver of Claim 20" should be -- The diver of Claim 19--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Even et al. (4567687).

As to claim 10, Even et al. discloses a substantially disk shaped body (4) having a top and bottom side; a line locking assembly (20) and a quick release assembly (14; the line is read as released once the latch means is in the extended position; fig. 4) including a pivoting element (40) including an elongated portion (46) extending through the body (38; the tabs are read as part of the body).

Art Unit: 3644

As to claim 16, disclosed is a counter weight (6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Even et al. (4567687) and further in view of Weber (5339561).

As to claim 17, not disclosed is a flotation device. Weber, however, discloses a flotation device (59). It would have been obvious to one having ordinary skill in the art at the time the invention was made to comprise the device with a flotation device so the device will not sink if the breaks from the line.

Allowable Subject Matter

Claims 1-9, 18 and 19 are allowed.

Claim 20 would be allowable if rewritten to overcome the claim objection as described above.

Art Unit: 3644

Claims 11-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to show either alone and/or in combination a planar disc shaped body having a ball receiver formed on the top side and a ball pivotably within the receiver and a shaft extending from the ball and extending through the body.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan Lofdahl whose telephone number is 703.605.1217. The examiner can normally be reached on m-f 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on 703.305.7421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3644

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jml

TERI PHAM LUU SUPERVISORY PRIMARY EXAMINER